



Chairperson Vice-Chair

**DETROIT BOARD OF POLICE COMMISSIONERS
Minutes of the Board of Police Commissioners Meeting
Thursday, January 22, 2009**

The meeting of the Detroit Board of Police Commissioners was held on Thursday, January 22, 2009, at 3:00 p.m., at Police Headquarters, 1300 Beaubien Street, Detroit, Michigan 48226.

ATTENDANCE

Board Members Present

Jim Holley
Ronald L. Griffin
Adela Rivera
Mohamed Okdie **(ABS)**
Erminia Ramirez

PO George Chester
PO Roland Clark
PO Latonya Oliver
SPO Fatimah Thomas

Department Personnel Present

Chief James Barren
AC Ronald Fleming
DC Leo Powers
Cmdr. Benjamin Lee
Cmdr. Brian Stair
Cmdr. Robert Ennis
Cmdr. Gail Wilson-Turner
Sgt. Dwight Snodgrass
Sgt. Mark Young
Sgt. Shirley Berger
PO Sophia Nelms
PO Dwight Featherstone
PO Viera Brownlee

Board Staff Present

Dante' L. Goss, Executive Director
Celia Banks-Washington, Attorney/Supervising Inv.
Arnold Sheard, Chief Investigator
Lawana Ducker, Personnel Director
Lt. Daniel Allen
Leslie J. Griffin, Community Affairs Coordinator
PO Kent Cooper

OTHERS PRESENT

Ron Scott
Edward Moore
Gary Brown
Julie Semma

Tijuana Morris
June Lee
Cortez Harris
Cleo Maxey

RECORDERS

PO Terence Bell
Robert Brown

1. CALL TO ORDER

Chairperson Holley called the meeting of the Detroit Board of Police Commissioners to order at 3:21 p.m.

2. APPROVAL OF AGENDA

- **Thursday, January 22, 2009**

MOTION: Comm. Griffin made the motion to approve the Agenda.

SECOND: Comm. Rivera seconded the motion.

VOTE: All in attendance voted in the affirmative.

3. APPROVAL OF MINUTES

- **Thursday, January 8, 2009**

MOTION: Comm. Griffin made the motion to approve the Minutes.

SECOND: Comm. Rivera seconded the motion.

VOTE: All in attendance voted in the affirmative.

- **Thursday, January 15, 2009**

MOTION: Comm. Griffin made the motion to approve the Minutes.

SECOND: Comm. Rivera seconded the motion.

VOTE: All in attendance voted in the affirmative.

4. **BOPC OFFICER'S REPORT**

1. CHAIRPERSON

2. SECRETARY'S REPORT

CITIZEN COMPLAINTS RECEIVED

- For the week of January 22, 2009, the Office of the Chief Investigator received:

32 CCR's This Week

70 CCR's Received Year to Date

30% Decrease vs. 2008 YTD

TOTAL WEEKLY ALLEGATIONS & COMMAND

Total	COMMAND	ALLEGATIONS									Total
CCR	W/E 01/22/09	Arrest	Demeanor	Force	Harassment	Entry	Procedure	Property	Search	Service	Allegations
6	COMMUNICATIONS		5							2	7
2	EASTERN		1			1	1				3
1	HOMICIDE									1	1
1	NORTHEASTERN		1								1
2	NORTHWESTERN		1				2			1	4
2	SOUTHWESTERN	1	2				2			1	6
1	TRAFFIC		1								1
11	Unknown Command	1	5				9		1	2	18
1	VICE		1				1				2
1	VIOLENT CRIMES		1								1
4	WESTERN		3				3				6
32		2	21			1	18		1	7	50

5. PRESENTATION/REPORT-CHIEF OF POLICE

January 22, 2009

Volume 5, Issue 4

Detroit Police Department

Report to the Board of Police Commissioners



Special Points of Interest:

- Next meeting:

Thursday, January 29, 2009

@ 3:00 P.M.

Detroit Police Department
1300 Beaubien Suite# 328A
Detroit, Michigan 48226

“Building a Safer Detroit Through Community Partnerships”

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take the guns and drugs off the streets of the city of Detroit.

SPECIAL ENFORCEMENT ACTIONS

Domestic Violence

On January 12th, officers of the Southwestern District responded to the 2000 block of Sharon on “Shots Fired” and a subject was arrested. Subsequent to the investigation conducted by members of Domestic Violence, a subject was charged with “Felon in Possession,” “Felony Fire-arms,” “Resisting & Obstructing,” and “Habitual 2nd.” A weapon was recovered.

Inside this issue:

Narcotics/Gang Enforcement 1

Domestic Violence 1

Western District 2

Southwestern District 2

Eastern District 2

Central District 2

Northeastern District 2

Engaging the Community

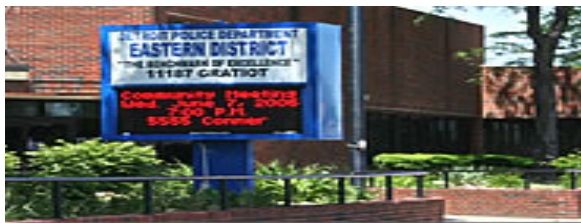
Citizens wishing to make a police report may do so at the District stations in the city of Detroit. Citizens may also utilize the following District Mini/Sub-Stations to make reports.

		<u>Location</u>	<u>Hours of Operation</u>	<u>Telephone</u>
Southwestern District	2	1300 Beaubien	24 Hours	596-5100
		2151 E. Jefferson	24 Hours	596-6400
Eastern District	2	7737 Kercheval	2 p.m. to 10 p.m.	628-2121
		19810 Grand River	*10 a.m. to 3 p.m.	870-0649
Central District	2	13530 Lesure	8 a.m. to 11 p.m.	596-5300
		12000 Livernois	24 Hours	237-2555
		20 Atwater	24 Hours	237-2850
Northeastern District	2	13206 E. Jefferson	*2 p.m. to 10 p.m.	821-5851
		22101 Moross (St. John Hospital)	*2 p.m. to 10 p.m.	343-7506
		14700 Mack	*2 p.m. to 10 p.m.	852-4046

* Mini-Stations

Southwestern District

On January 13th, officers of the Southwestern District responded to the 6000 block of West Vernor on a "Breaking & Entering in Progress." Due to the officers' quick response and investigation, two subjects were arrested and charged with "Breaking & Entering," "Possession of a Stolen Motor Vehicle," and "Habitual 4th." A stolen vehicle was recovered.



Eastern District

On January 15th, officers of the Eastern District responded to the 14000 block of Rochelle on an "Assault and Battery in Progress." Subsequent to their investigation, a subject was arrested and charged with "Attempt Home Invasion," and "Habitual 2nd."



Central District

On January 15th, officers of the Central District responded to the 400 block of Brainard on an "Assault & Battery." As a result of their investigation, officers discovered that an individual was being held against their will with a weapon. Due to the officers quick actions, a subject was arrested and charged with "Assault with Intent to Commit Murder," "Assault with Intent to Do Great Bodily Harm," "Felonious Assault," and Habitual 4th."

Northeastern District

On January 11th, officers of the Northeastern District responded to the 8000 block of Stockton on a "Person Shot." Subsequent to their investigation, a subject was arrested and charged with "Felon in Possession of a Firearm," "Felony Firearm," and "Habitual 3rd." A weapon was confiscated.



Comm. Griffin acknowledged the Chief and the other officers for a great job done while attending the Inauguration for the President of the United States.

Chief Barren stated it was a thrilling experience working with officers from around the country and very cold.

Comm. Griffin stated Exec Dir Goss (an attorney) was sworn in by the same Chief Justice that swore in the president, to argue cases before the US Supreme Court.

6. STANDING COMMITTEE REPORTS

There were no standing committee reports.

7. NEW BUSINESS

TOWING RESOLUTION

RESOLUTION TO FORM A CITY-WIDE TASK FORCE ON THE DETROIT POLICE DEPARTMENT'S (DPD) POLICE-AUTHORIZED TOWING PROCESS

WHEREAS, the provisions of the City Charter, effective in 1974, clearly vests the Board of Police Commissioners (Board) with supervisory authority over the functions of the Detroit Police Department (DPD);

WHEREAS, Article 7, Chapter 11, Section 7-1103 of the City Charter provides that "The board shall . . . In consultation with the chief of police, and with the approval of the mayor establish policies, rules and regulations;"

WHEREAS, Section 55-15-8(a) of the 1964 City Code entitled *Police Authorized Towing*, provides that "[t]he board of police commissioners, shall establish standards, including insurance and bonding requirements, that must be met in order for a tower to qualify for police authorized tows. . . and the police department shall maintain a current list of such qualified towers;"

WHEREAS, Section 55-15-8(a) goes further to mandate that "[t]he board of police commissioners shall also promulgate and publish the rules and regulations that it uses to determine which towers shall be called for tows under this chapter. Such rules shall as nearly as practicable, provide for equitable distribution of police authorized towing to all towers on the list of qualified towers;"

WHEREAS, in December 2005, the Auditor General initiated an audit of the Detroit Police Department's Police-Authorized Towing Process in order to determine the validity of alleged malfeasance by police-authorized towing companies and by DPD personnel, and to determine whether there was compliance with State laws, City ordinances, DPD towing procedures and towing contracts;

WHEREAS, the Auditor General opined that there remained "systemic problems within the DPD's police-authorized towing process," and recommended that the process be "reengineered;"

WHEREAS, in an attempt to address the criticisms raised in the Auditor General's report, on or about March 14, 2008, the City of Detroit issued a request for proposal (RFP) file number 25239, which invited proposals for a

“Centralized Towing and Logistics provider to facilitate the coordination of Auto Pound Management and Related Towing Services;”

WHEREAS, on April 7, 2008, Detroit City Council called a Public Hearing, and took testimony from numerous towers who opposed the RFP, particularly with regard to a single towing management company;

WHEREAS, on April 9, 2008, Detroit City Council adopted a Resolution urging the Finance Department, Purchasing Division and the Detroit Police Department to rescind the RFP for towing management and not to issue another RFP until at least 2010;

WHEREAS, on April 24, 2008, Mayor Kwame Kilpatrick vetoed the above-referenced Resolution;

WHEREAS, also on April 24, 2008, Detroit City Council voted to adopt the Resolution urging the Finance Department, Purchasing Division and the Detroit Police Department to rescind the RFP for towing management notwithstanding the Veto of the Mayor;

WHEREAS, on September 4, 2008, the Finance Department notified all prospective bidders of the RFP cancellation;

WHEREAS, the Board has determined that it is in the best interests of the citizens of the City of Detroit, the Detroit Police Department, currently authorized towers as well as prospective towers, to establish a working group of stakeholders whose mission shall be to (1) review the existing police authorized towing process, policy and procedure; (2) review the City’s management of such processes, policies and procedures to ensure the equitable and fair distribution of towing assignments; (3) study best practices in municipal towing programs in comparable cities and conduct other suitable research to improve the towing process; and (4) render its recommendation(s) for any modifications and/or improvements;

NOW THEREFORE, BE IT RESOLVED that, pursuant to the powers granted to it by the City Charter and the City Code, this Board does hereby authorize the creation of the Police Authorized Towing Task Force (“PATTF”) whose mission shall be to (1) review the existing police authorized towing process, policy and procedure; (2) review the City’s management of such processes, policies and procedures to ensure the equitable and fair distribution of towing assignments; and (3) study best practices in municipal towing programs in comparable cities and conduct other suitable research to improve the towing process; and be it further

RESOLVED that, the PATTF shall be comprised of at least one member from the following City Departments, including but not limited to: (1) the Mayor’s Office, (2) the Board of Police Commissioners, (3) the Chief of Police, (4) Detroit City Council, (5) Auditor General, (6) the Law Department, and any other such individual(s), designee(s) or representative(s) as the Board in its discretion deems appropriate and necessary; and be it further

RESOLVED, that the PATTF shall also be comprised of a bifurcated group of interested towers (both current police-authorized towing companies and prospective towing companies) which will meet separately for the purpose of providing constructive input to the PATTF’s mission; and be it further

RESOLVED, that, once the appropriate designees have been identified and confirmed, the PATTF shall begin its mission as soon as practicable; and be it further

RESOLVED, that the PATTF will provide monthly reports to the Board at the regularly scheduled Board meetings to keep the Board and the public apprised of the progress; and be it further

RESOLVED that the PATTF shall be chaired and administered by Commissioner Adela Rivera, and in her absence, these duties shall be undertaken by Celia Banks Washington, Attorney/Supervising Investigator; and be it further

RESOLVED, that the PATTF shall, earnestly and in good faith, seek the meaningful input of both current police authorized towers as well as those companies that are not currently police authorized towers; and be it further

RESOLVED, that the PATTF shall complete its function in the form of a final report and recommendation to the Board of Police Commissioners with respect to possible reengineering of the police-authorized towing process for the City of Detroit, including, but not limited to, recommended changes to current procedures, policies, rules, regulations and ordinances; and be it further and finally

RESOLVED, that copies of this Resolution be forward to the Mayor, the Detroit City Council, the Chief of Police, the Auditor General, and the Corporation Counsel for the City of Detroit.

/s/ Jim Holley
Chairperson

/s/Rev. Ronald L. Griffin
Vice Chairperson

/s/ Adela Rivera
Commissioner

/s/ Mohamed Okdie
Commissioner

ADOPTED BY THE
BOARD OF POLICE COMMISSIONERS
January 22, 2009

/s/ Erminia Ramirez
Commissioner

MOTION: **Comm. Griffin** made the motion to adopt and approve the Resolution.

SECOND: **Comm. Rivera** seconded the motion.

VOTE: All in attendance voted in the affirmative.

Comm. Ramirez stated this Resolution has been approved and read into the Minutes.

Comm. Griffin asked Atty. Washington to explain who will serve on Task Force and when will it get started.

Atty. Washington stated the next step is to get the Resolution to the various departments so they can identify a person to sit on the Task Force. Those individuals should be identified within the next couple of weeks and also come before this Board.

Comm. Griffin asked if there could be specific dates for the record.

Atty. Washington stated every department will be contacted this week and the reply will have to be monitored.

Comm. Griffin stated it needs to be clear that this Board is not asking, but it is within the purview of this Board and by Charter to tackle this situation and to fix it.

Atty. Washington stated that is correct, there will be a survey for the current towers as well as prospective towers who want to be involved in this process.

Comm. Rivera stated to all towers now is the time to take care of this issue.

8. OLD BUSINESS

1. DISCIPLINARY APPEALS

Comm. Ramirez stated in the matter of Disciplinary Appeal **BPC 07-005D**, **Police Officer Leonard Moore**, badge 4497.

MOTION: **Comm. Griffin** made the motion to concur with the Chief's recommendation for a suspension without pay for 35 days.

SECOND: **Comm. Rivera** seconded the motion.

VOTE: Comm. Ramirez, Comm. Griffin, and Comm. Rivera voted yes.

Comm. Ramirez stated in the matter of Disciplinary Appeal **BPC 08-002D**, **Police Officer Jeffrey Morin**, badge 519.

MOTION: **Comm. Griffin** made the motion to concur with Atty. Washington recommendation that the guilty plea be sustained as to Charge 1, Specification 1, and that the 180-day suspension without pay be reduced to a 60-day suspension without pay.

SECOND: **Comm. Rivera** seconded the motion.

VOTE: Comm. Ramirez, Comm. Griffin, and Comm. Rivera voted yes.

2. GRANT: REQUEST TO APPLY FOR THE "SOLVING COLD CASE WITH DNA PROGRAM" FROM THE UNITED STATES DEPARTMENT OF JUSTICE

MOTION: **Comm. Griffin** made the motion to approve the Grant.

SECOND: **Comm. Rivera** seconded the motion.

VOTE: All in attendance voted in the affirmative.

9. **ANNOUNCEMENT OF NEXT MEETING**

Thursday, January 29, 2009
Police Headquarters
1300 Beaubien Rm. 328-A
Detroit, MI 48226

10. **ORAL COMMUNICATION FROM THE AUDIENCE**

T. Morris asked Comm. Griffin about the Flowers Report, regarding a review by Cmdr. Stair.

Comm. Griffin stated he was not aware of that report.

Cmdr. Stair stated they are aware of this case, their investigation is ongoing and is waiting on vital information to conclude investigation.

Comm. Ramirez stated that the information that is requested will take a little time to retrieve.

Cmdr. Stair stated this case is being investigated with high priority.

T. Morris introduced a young man whose case she is handling.

Cortez Harris thanked the people who helped him start the investigation, and would like to see it continue.

Comm. Ramirez stated this is a pending investigation.

Comm. Griffin asked Mr. Harris whether the investigation is ongoing or was he asking for an investigation.

Cortez Harris stated that he just wanted the investigation to continue.

T. Morris stated Mr. Harris volunteers his time to talk to young children.

Comm. Griffin stated that Mr. Harris should speak with Investigator Sheard.

E. Moore stated that Councilman Kenyatta's door is open to all.

G. Brown thanked the Western District for the prompt response to the complaints from the citizens in his neighborhood, and he is sure the officers will be exonerated.

C. Maxey stated she lives next door to the house, and thanked the District for their prompt response as well.

J. Lee thanked the Board for passing the towing resolution.

Comm. Ramirez asked Mr. Lee, how many companies he represents.

J. Lee stated seven.

J. Semma thanked the Board for passing the towing resolution.

Comm. Ramirez asked how many companies she represents

J. Semma stated only one, 70's Towing.

11. ADJOURNMENT

The meeting was adjourned at 3:57 p.m.

Respectfully submitted,

DANTE' L. GOSS
Executive Director
Board of Police Commissioners

DLG/rb